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ABSTRACT

This annotated bibliography on liberal education and the law is divided into 5 sections: (1) publications dealing with the general nature of legal practice, the profession, history of law, and the legal profession that are relevant to legal education, and legal education and its history; (2) materials on the subject of the appropriate preliminary education for the study of law; (3) materials that consider the general value of liberal education for the practice of law, and discuss prelegal study and legal study together; (4) materials dealing with the expansion and liberalization of the law curriculum itself; and (5) items that dissent from the endeavors to require liberal prelegal education and the effort to broaden the teaching of law. Within each section, the items are listed by books, periodicals, and reports. (AF)

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LIBERAL EDUCATION AND THE LAW

A BIBLIOGRAPHY

compiled by

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The Institute of Higher Education
Teachers College
Columbia University
Dr. Earl J. McGrath, Executive Officer

INTRODUCTION

In setting out to compile a bibliography on the thought of the legal profession concerning liberal education, the Institute of Higher Education anticipated a rather simple task.

But, as the subdivisions and length of the bibliography show, the inquiry led into historical considerations and to some not entirely expected propositions concerning the professional course of study.

When it came to making the selection represented by this bibliography, the Institute found it had sifted through some five major publications and more than 700 works.

The reader should keep in mind that the annotations do not necessarily characterize the entire reference; they refer, rather, to those sections of the article which deal with liberal education.

The Institute expresses its gratitude to the staff of the Library of Columbia University Law School for its cooperation.

LIBERAL EDUCATION AND LAW

A BIBLIOGRAPHY

I. PUBLICATIONS DEALING WITH THE GENERAL NATURE OF LEGAL PRACTICE, THE PROFESSION, HISTORY OF LAW AND THE LEGAL PROFESSION WHICH ARE RELEVANT TO LEGAL EDUCATION, AND LEGAL EDUCATION AND ITS HISTORY.

Books

** 1. BLAUSTEIN, Albert P., Charles O. Porter, and Charles T. Duncan. The American Lawyer: A Summary of the Survey of the Legal Profession. Chicago: University of Chicago Press, 1954. 360 pp.

Summarizes the survey of the legal profession, which grew out of a proposal to survey legal education and took place between 1947-1953. An excellent source on the entire subject of the legal profession, it includes a bibliography of all the studies that formed a part of the survey, and chapters synthesizing their findings. Chapter 6 deals with legal education, and provides an excellent starting point for anyone interested in liberal education and the law. Of great value to the general study of professions.

2. BROWN, Esther Lucille. Lawyers, Law Schools, and the Public Service. New York: Russell Sage Foundation, 1948. 258 pp.

Dr. Brown has spent many years studying education for the professions and has published several books on a number of different professions. This book has drawn the attention of a great many persons interested in legal education. Rather too technical for the ordinary student of liberal education and the law, it belongs in this bibliography for its analysis of one aspect of the problem of broadening and "liberalizing" the law course. The author advocates bringing the professional course into conformity with the current demand on the part of the government for lawyers.

3. GERHART, Eugene C. (ed.). The Lawyer's Treasury. New York: The Bobbs-Merrill Company, Inc., 1956. 520 pp.

A selection by a Board-of-Editors of the best articles published by the American Bar Association Journal since its origin in 1915. The articles cover a wide range of subjects, some of which deal with education for the law directly, and a great many which, because of their attention to the nature of law and the profession, have relevance to the goals of education for the law.

** These works, the compiler believes, will, if read together, give the shortest complete survey of the issue of Liberal Education and the Law.

**4. HARNO, Albert J. Legal Education in the United States. San Francisco: Bancroft Whitney Company, 1953. 210 pp.

This book, by a leading figure in legal education, represents a synthesis of all previous historical writings on legal education including those done for the 1947-1953 survey. An indispensable item in any study of liberal education and the law, and of great value to the student of professions generally.

5. POUND, Roscoe. The Lawyer from Antiquity to Modern Times. St. Paul, Minnesota: West Publishing Company, 1953. 404 pp.

Dean Pound, known widely as the Dean of legal education in America, has here compiled a history which concentrates primarily on the development and activities of organized groups in the legal profession in America. Of value to the student of liberal education and the law for its relevance to the idea of the goals of legal education, this work will prove most helpful to a student of the professions.

**6. REED, Alfred Z. Present Day Law Schools in the United States and Canada. Bulletin No. 21 New York: Carnegie Foundation for the Advancement of Teaching, 1928. 598 pp.

Part of a survey of legal education made under the auspices of the Carnegie Foundation between 1913 and 1928. The survey produced a number of works which we include in this bibliography. This book, Mr. Reed's last on the subject of legal education, seeks the function of present day law schools through an historical analysis, and summarizes the data on law schools, legal education, admission standards, etc. of the time. Of less relevance to the subject of this bibliography than his earlier work, the reader will find the material on the collapse of formal education for lawyers of most direct value.

**7. REED, Alfred Z. Training for the Public Profession of the Law. Bulletin No. 15. New York: Carnegie Foundation for the Advancement of Teaching, 1921. 498 pp.

The first of Mr. Reed's publications, this work has direct value to the study of liberal education and the law particularly from page 273 through 339, and especially page 315. Pages 344-388 discuss the rationale of the law curriculum and of the case method. Contains a great wealth of information, and some valuable statistical tables not readily available elsewhere. Publication of this work coincided with the American Bar Association's drive for requiring two years of pre-professional collegiate education. Though generally very well received by the profession, the work attracted some adverse criticism for its acceptance of the law office as a place where the prospective attorney might obtain his entire legal education.

8. VANDERBILT, Arthur T. (ed.). Studying Law. Second edition. New York: Washington Square Publishing Corporation, 1955. 753 pp.

A collection of essays addressed to the young person contemplating entry into the study of the law compiled by perhaps the outstanding student of liberal education and the law in contemporary America, the former Dean of New York University Law School, a lawyer, and until recently Chief Justice of the Supreme Court of New Jersey. The first and tenth essays deal with the subject of liberal education and the law, and should prove helpful to the reader.

9. WARREN, Charles. History of the Harvard Law School and of Early Legal Conditions in America. Vol. I. 3 vols. New York: Lewis Publishing Company, 1908. 543 pp.

This book goes beyond its title in dealing with the development of the law and law teaching in universities generally. It includes a large number of inaugural addresses and many quotations, which provide rich sources of opinion on a variety of subjects including that of liberal education and the law.

Periodicals

**10. CURRIE, Brainerd. "The Materials of Law Study," Part I, The Journal of Legal Education, 3:331-383, Spring, 1951.

The Journal of Legal Education reprinted this doctoral dissertation done by Professor Currie at Columbia Law School. It constitutes an indispensable item in any study of liberal education and the law, and was selected by the survey of the Legal Profession as one of its preliminary reports. While attending primarily to the theory and practice of including social science materials in the law course, there is also treatment of the relationship between liberal education and law. The classification of concepts and reviews of developments in this relationship are of fundamental importance.

**11. CURRIE, Brainerd. "The Materials of Law Study," Part II, The Journal of Legal Education, 8:1-78, No. 1, 1955.

See item above.

12. REED, Alfred Z. "Raising Standards of Legal Education," American Bar Association Journal, 7:571-578, November, 1921.

Contains an advance extract of the annual report of the Carnegie Foundation on the subject of what the American Bar Association had done with the results of the survey. The author reviews the strides of the Association in regard to legal education, and approves their 1922 action.

13. SANBORN, John B. Review of: Training for the Public Profession of the Law, American Bar Association Journal, 7:615-617, November, 1921.

A summary of A.Z. Reed's Training for the Public Profession of the Law. Points to the significance of Reed's view concerning the responsibility of lawyers to society, an idea which played a prominent role in restoring the place of liberal education in preparation for the law.

II. MATERIALS ON THE SUBJECT OF THE APPROPRIATE PRELIMINARY EDUCATION FOR THE STUDY OF THE LAW.

Books

14. BEVERIDGE, Albert J. "The Young Lawyer and His Beginnings." Reprinted in: Arthur T. Vanderbilt (ed.), Studying Law. Second edition. New York: Washington Square Publishing Corporation, 1955. Pp. 19-37.

Advice to the prospective attorney by a man who was a lawyer, Senator, and historian of stature. Beveridge favors a liberal arts education prior to entry into law school.

15. BIRKETT, Sir Norman. "Law and Literature." Reprinted in: Eugene C. Gerhart (ed.), The Lawyer's Treasury. New York: The Bobbs-Merrill Company, Inc., 1956. Pp. 127-139.

An article by the Lord Justice of the Court of Appeals of England noteworthy for its felicity of style. It clearly shows the relevance of liberal education to the law in its representation of law as touching every phase of life.

**16. VANDERBILT, Arthur T. A Report on Prelegal Education. Presented to the Section of Legal Education and Admissions to the Bar, American Bar Association. Chicago: American Bar Association, 1945. 54 pp.

One of the indispensable documents in a study of liberal education and law. It grew out of wartime concerns over legal education, and supplies an excellent review of the full panoply of arguments for college education as part of the preparation for the Law. Contains numerous references and quotations from distinguished leaders of the legal profession, summarizes the opinions of representative law schools, state and federal supreme courts, and legislators concerning prelegal education. The mature wisdom of a great jurist and legal scholar bind these materials together into a statement of lasting importance.

Periodicals

**17. ASSOCIATION of American Law Schools. "Prelegal Education: A Statement of Policy," American Bar Association Journal, 39:889-892, October, 1953.

The statement of the Association of American Law Schools requiring its members to admit only students who have had three years of college education. The document made recommendations concerning the nature and content of prelegal education, but favored broad liberal education and established no courses as prerequisites. Available on request from the American Bar Association, this statement will prove helpful to the adviser of pre-law students.

18. BRONK, Detlev W. "The Natural Sciences and the Law," New York University Law Review, 27:70-79, January, 1952.

A detailed and compelling analysis of the relationships between science and law, and of the contribution of scientific training to broadly conceived legal practice by the then President of Johns Hopkins University. Outlines the characteristics of a study of science that would provide the best preparation for all future specialized studies.

19. BUCKNER, Emory R. "What the Bar Is Doing -- What More It Can Do," American Bar Association Journal, 15:775-779, December, 1929.

A practicing lawyer speaks on the value of liberal education for the practice of the law, relating it particularly to the development of the ethical sense brought about by slow cultural growth.

20. BUTLER, Nicholas M. "Preliminary Education for Law Students," American Bar Association Journal, 8:684-686, November, 1922.

An address to the Annual Meeting of the American Bar Association made by the then president of Columbia University. President Butler advocated that the lawyer obtain knowledge of the fundamental operations of society obtained through the study of economics, history, and other social sciences. He saw these as a proper preparation due to social change. He favored collegiate study as productive of mental discipline, and found the Junior College capable of providing all necessary preliminary education.

21. ELIOT, Thomas H. "Law in the Liberal Arts Curriculu," Journal of Legal Education, 9:1-7, No. 1, 1956.

This article purposes not so much to make an affirmative contribution regarding law and liberal education, but to register "...a note of alarm" over complete misconceptions of law which are created by persons unacquainted with it. To this end he cites a law writer who had discussed the law, and had presented an overly technical conception of it.

22. GREEN, Leon. "Basic Training for Law School," Journal of Legal Education, 1:273-279, Winter, 1948.

A useful discussion on the appropriate nature and content of prelegal collegiate studies by a former Dean of Northwestern University Law School.

23. GUSTAFSON, Ralph D. "Validity of Pre-Legal Requirements at the University of Washington," Journal of Legal Education, 4:175-180, Winter, 1951.

A doctoral study, made at the University of Washington, which deals with the relationship of specific courses or amount of prelegal education to success in law school. Though limited to the University of Washington, the study shows the interesting result that there is very little relationship between the content or length of prelegal study and later success.

24. GUTHRIE, William D. "Admission to the New York Bar," American Bar Association Journal, 17:48-56, January, 1931.

An address by a member of the New York Bar made at the annual meeting of the Cornell Law Association, this item has particular value for its numerous quotes from leading persons on the subject of general education preliminary to law study. It gives an excellent review of the arguments favoring a broad general education.

25. SHAFROTH, Will. "Modern Standards of Legal Education," American Bar Association Journal, 23:601-605, August, 1937.

This statement by a former adviser to the Council on Legal Education and Admissions to the Bar of the American Bar Association avers that the increasing complexity of the law calls for college education. Moreover, the fact that lawyers have played the part of leaders in the great crises of American history demonstrates the need for a well-trained Bar.

**26. VANDERBILT, Arthur T. "A Report on Prelegal Education," New York University Law Review, 25:199-290, April, 1950.

Perhaps the most definitive single piece of writing on prelegal education as part of a liberal education for the law, Justice Vanderbilt wrote this as part of the Survey of the Legal Profession between 1947 and 1953. The report includes reference to the major accumulations of data concerning the opinions of law schools, lawyers, and justices on the subject of prelegal education, and to the resolutions of the American Bar Association and the Association of American Law Schools concerning it. It surveys the responses of the Association of American Law Schools to the inquiries, made over the years by various groups, on the appropriate studies to include in prelegal education. As a result of this and his 1944 study, the author strongly favored indicating the areas a student should study in college. He did not, however,

recommend requiring specific courses, although there are indications that the author might have favored such prescriptions. This report played an influential part in bringing the Association to recommend areas of study in 1953, and should prove of major value to advisers of pre-law students.

27. WINSLOW, John B. "Address," American Bar Association Journal, 6/1:106-114, January, 1920.

The author, then Chief Justice of the Supreme Court of Wisconsin, sees the practical application of liberal studies to the problem of developing a corpus of law that keeps pace with changes in society. He calls for the study of economics and sociology.

Reports

28. BRUCE, Andrew A. "Interest of the Public in Legal Education," Report of the Forty-Third Annual Meeting of the American Bar Association, 45: 480-497, 1920.

A statement of the whole range of arguments in favor of liberal prelegal and legal education as they were expressed at the time.

29. COMMITTEE on Curriculum. "Report," Handbook of the Association of American Law Schools and Proceedings of the Twenty-Second Annual Meeting, 1924. Pp. 35-37.

The Committee reports the results of a survey of the positions of law schools concerning requiring specific courses as prerequisites for admission to the law school. There is virtually unanimous opposition to such a requirement.

30. COMMITTEE on Curriculum. "Report," Handbook of the Association of American Law Schools and Proceedings of the Thirty-Fifth Annual Meeting, 1937. Pp. 226-240.

Reports the results of a survey of the opinions of the law schools on the subject of prelegal education, with virtually the same results as above. The Committee alludes to a similar report in 1936, opposes prescription, and favors a broad prelegal education.

31. COMMITTEE on Legal Education, "Report," Report of the Twentieth Annual Meeting of the American Bar Association, 20:349-392, 1897.

Contains a discussion and report on a variety of programs of legal education, and includes the resolution of the Committee in favor of completion of high school prior to entry into law school.

32. COMMITTEE on Legal Education. "Report," Report of the Twenty-Sixth Annual Meeting of the American Bar Association, 26:395-428, 1903.

This report outlined a definite plan of liberal pre-professional studies, specifying aims and the courses that would fulfill them. The committee opined that two years of collegiate work were necessary to accomplish their plan. Contains, also, a valuable statement by Daniel Coit Gilman, first president of Johns Hopkins University, favoring the liberal arts college course study prior to entry into law school.

33. COMMITTEE on Prelegal Education. "Report," Proceedings of the Association of American Law Schools, 1950. Pp. 124-135.

An excellent discourse refuting the view that there is a dichotomy between liberal and professional education, including an analysis of the elements of the problem.

34. COMMITTEE on Prelegal Education. "Report," Proceedings of the Association of American Law Schools, 1952. Pp. 99-114.

Statement concerning prelegal education adopted by the Association of American Law Schools. See above, reprinted in the American Bar Association Journal, 1953. This printing includes some additional views of the Committee not reprinted in the American Bar Association Journal.

35. GILMORE, Eugene A. "The Relation of the University to the Professional School," Report of the Twenty-Ninth Annual Meeting of the American Bar Association, 30:52-65, 1906.

The author, a Professor of Law at Wisconsin, argued for the teaching of law in a comparative and historical manner, "as an integ l part of university instruction." He felt that the teaching of l as a science and the extension of the amount of liberal prelegal education would restore lawyers to their formerly influential position in the community.

36. HUFFCUT, Ernest W. "Relation of the Law School to the University," Report of the Eighteenth Annual Meeting of the American Bar Association, 18:429-439, 1895.

An early statement in the effort to redefine the relationship between liberal education and the law. The author, a Professor at Cornell University Law School, wants to get away from a narrowly craft-like conception of the study of the law, and, as many of his contemporaries, inclines toward the view that liberal education has greatest value for disciplining the mind in preparation for legal studies.

37. MATHEWS, Robert E. "The Present Views of the Law Schools on Pre-Legal Education," Handbook of the Association of American Law Schools and Proceedings of the Thirty-Fourth Annual Meeting, 1936. Pp. 51-64.

Reports ths findings of the Committee on Curriculum regarding the views of the heads of law schools concerning prelegal education. The Committee made this survey in response to a query by the Association of American Colleges, and stated that opinion favored general education and broad recommendations rather than set requirements.

38. WIGMORE, John H., and Frederic B. Crossley. "A Statistical Comparison of College and High School Education as a Preparation for Legal Scholarship," Report of the Thirty-Second Annual Meeting of the American Bar Association, 34:941-965, 1909.

The authors state three arguments in favor of college educations: 1) It is highly important for intelligent citizenship; 2) It is essential to the scientific study of the law; 3) It develops the intellectual strength required for the practice of the law. The statistics concerned only the second proposition, and they showed that college men in general had better records in law schools than non-college, while there was little difference between two and four-year college students. Significant as a part of the developing movement for a two-year college requirement.

39. WILSON, Woodrow. "Legal Education of Undergraduates," Report of the Seventeenth Annual Meeting of the American Bar Association, 17:439-451, 1894.

At the time a Professor at Princeton, this later President of the United States urges that the study of law should form part of every student's liberal education.

Anonymous

40. "Proceedings of the Special Conference on Legal Education," Report of the Forty-Fifth Annual Meeting of the American Bar Association, 47: 482-591, 1922.

This Special Conference was held under the sponsorship of the American Bar Association. It adopted a set of resolutions requiring two years of college education prior to entry into law school. A group of distinguished public figures, including Elihu Root, Chief Justice William Howard Taft, discuss the issue pro and con, and provide a good review of the arguments in favor of a liberal pre-professional education.

III. MATERIALS WHICH CONSIDER THE GENERAL VALUE OF LIBERAL EDUCATION FOR THE PRACTICE OF THE LAW, AND DISCUSS PRELEGAL STUDY AND LEGAL STUDY TOGETHER.

Books

41. BLACKSTONE, Sir William. "On the Study of the Law," Commentaries on the Laws of England. Book I. Section 1. William Draper Lewis (ed.), 4 books in 1 vol. Philadelphia: Rees Welsch and Company, 1897. Pp. 1-37.

One of the most eminent lawyers in the history of British jurisprudence and first Vinerian professor at Oxford here makes an excellent and felicitous statement of the value of liberal education for the law, and expresses a "liberal" conception of law studies. Professor Brainerd Currie considers Blackstone's conception of liberal education as valuable to the practice of law as an original expression of the relationship.

42. HOLMES, Oliver Wendell. "The Profession of the Law," and "The Use of Law Schools," Speeches by Oliver Wendell Holmes. Boston: Little, Brown, and Company, 1934. Pp. 22-24 and pp. 28-40.

A former Chief Justice of the United States Supreme Court of very great stature gives two statements which have relevance to the discussion of the question of liberal education and the law. Further mining of Holmes' works might produce more abundant and directly relevant statements.

43. STORY, Joseph, "Value and Importance of Legal Studies," The Miscellaneous Writings of Joseph Story, William W. Story, (ed.), Boston: Charles C. Little and James Brown, 1852. Pp. 503-548.

The inaugural address, a statement worthy for its style, by Justice Story when he assumed the leadership of the Harvard Law School in 1832. While Story's views of the relevance of liberal education for the law represent a profound understanding of the relationship, Professor Brainerd Currie shows that Story's influence on the law curriculum itself was to make it narrowly technical.

Periodicals

44. ARMSTRONG, Walter P. "The Bar and the Schools," American Bar Association Journal, 28:93-97, February, 1942.

A president of the American Bar Association favors prescription of specific subjects in undergraduate work to overcome the random nature of college work, and opposes the idea that law schools can teach a student the actual practice of the law.

45. de KIEWET, C.W. "The Social Sciences and the Law," New York University Law Review, 27:92-100, January, 1952.

Part of a symposium held in honor of the opening of the Arthur T. Vanderbilt Law Center at New York University. The author, President of the University of Rochester, calls for a closer union between social sciences and the law. He favored teaching the social sciences in the law course to maintain as direct a relation of them to the practice of law as possible, and felt that this would maintain the high standing of the legal profession by building an awareness of the need to keep law in conformity with social development.

46. GILMORE, Eugene A. "Some Criticisms of Legal Education," American Bar Association Journal, 7:227-230, May, 1921.

President of the Association of American Law Schools in 1920, Professor Gilmore took the position here that recognition of the social impact of law called for a broadening and deepening of the law course, and an abandonment of narrow utilitarian work. The same trend had also made, said the author, liberal education in the college a matter of vital concern to the prospective lawyer.

47. GREEN, Theodore F. "A Legal Practitioner's Mental Equipment," American Bar Association Journal, 8:420-426, July, 1922.

A practicing lawyer advocates liberal education as the proper preparation for the law.

48. HEPBURN, Charles M. "The Growing Demand for a Broad General Education," American Bar Association Journal, 2:56-59, January, 1916.

This report contains the views of Lawrence Maxwell, Charles E. Shepard, John H. Wigmore, and Andrew Bruce in addition to those of Hepburn, who was Secretary of the Section of Legal Education. The skeletal nature of the arguments these men give shows in an interesting way the difficulties attendant upon the redefining the value of liberal education to the law. Part of the build-up to the 1922 requirement by the American Bar Association of two years of college.

49. HOWE, Mark DeWolfe. "The First Law Lecture of James Bradley Thayer," (1874), Journal of Legal Education, 2:1-20, Autumn, 1949.

Thayer's first lecture with an introduction by Professor Howe. Thayer views college work as most dire[illegible]ly valuable for success as a student in law school and for living a full life, but does not relate it to the practice of the law. He says the students will put liberal studies aside in law school, perhaps reflecting the narrowly utilitarian character of the law course at the time.

50. HUTCHINS, R. M. "The Bar and Legal Education," American Bar Association Journal, 23:923-927, December, 1937.

Dr. Hutchins was Chancellor of the University of Chicago at the time of this address to the American Bar Association, and at the height of his controversy over the nature of liberal education. His standing with the legal profession grew out of his role of Dean of the Yale Law School in 1928, and this address represents an application of his educational ideas to preparation for the law.

51. MCGRATH, Earl J. "The Humanities and the Law," New York University Law Review, 27:49-62, January, 1952.

An address given at the 1952 dedication of the Arthur T. Vanderbilt Law Center at New York University by one of the leading students of liberal education in the United States. Dr. McGrath considers, first, the place of general education in training for the law, and then the specific values of the Humanities for it.

52. NORTON, Vere R. "Lawyers and Literature," American Bar Association Journal, 18:301-306, May, 1932.

Deals with lawyers as students of history and literature, and names these members of the profession as excelling in their general literary capacities: Holmes, Cardozo, Rufus Choate, William Wirt, Robert Ingersoll, Arthur Train, and Clarence Buddington Kelland.

53. PAIMER, Ben W. "The Historian and the Lawyer," American Bar Association Journal, 32:530-536, September, 1946.

A long article which would have as much value for the historian as the lawyer. The author shows that the critical method of the historian has value to the lawyer in all his work, and that history develops a sense of human purposes and causation.

54. PALMER, Ben W. "The Lawyer and the Poet: Crist for the Mill of Legal Art," American Bar Association Journal, 35:375-378, May, 1949.

The author argues that poetry contributes to the law because law is an art which deals with the subject matter of poetry, human nature, and all forms of knowledge.

55. ROOT, Elihu. "Public Service and the Bar," American Bar Association Journal, 2:736-755, October, 1916.

The Presidential address in the year that he headed the American Bar Association of a former Senator and Cabinet Member. Root held a very distinguished position in the eyes of the Profession, and later led the movement for the two year college requirement prior to entry into law school. Here he shows how, among other things, a good education will materially contribute to changes in the law necessitated by social development.

56. ROSTOW, E.V. "Liberal Education and the Law: Preparing Lawyers for Their Work in Our Society," American Bar Association Journal, 35:626-629, 698-702, 1949.

An exceedingly worthwhile article covering the entire subject of liberal education and the law by the present Dean of the Yale Law School. The author sees liberal education as particularly relevant to the social impact of law.

57. SHAFROTH , Will. "The Rising Tide of Advocates," American Bar Association Journal, 16:451-453, July, 1930.

Argues that the lawyer needs both liberal collegiate education and professional study to provide him with the capacities to meet clients and the world on an equal footing.

58. SIMS, Cecil. "Lawyers and the Classics: The Spreading Technological Illiteracy," American Bar Association Journal, 43:31-34, January, 1957.

A practicing lawyer, member of the Board of Trustees of Vanderbilt University and of Meharry Medical College, recommends wide cultivation as essential to the highest profession of the law.

59. STONE, Harlan Fiske. "Legal Education and the Democratic Principle," American Bar Association Journal, 7:639-646, December, 1921

In this statement one of the great jurists of recent time, then Dean of the Columbia Law School and later Chief Justice of the Supreme Court, favors a liberal collegiate education prior to entry to the law school for its value in developing the student's moral sensitivity and intellectual capacity.

60. VANDERBILT, Arthur T. "General Education and the Law," Journal of Legal Education, 4:255-263, Spring, 1952.

Part of the 1952 symposium at the opening of the Law Center at New York University. Justice Vanderbilt emphasizes the importance of a sound general education for the study of the law, for the efficient discharge of the duties of the profession, and as a basis for competent and enlightened citizenship.

61. VANDERBILT, Arthur T. "Some Convictions as to Legal Education," American Bar Association Journal, 24:717-718, September, 1938.

An interesting critique of the college course as "four years of college a la carte," which goes on to urge two planned years of prelegal education to provide the liberal base for legal study. Points to the failure of the law school to provide practical experience since the origin of the Case Method in 1870, and urges a term of legal internship to round out preparation for the profession.

Anonymous

**62. "Conference on Legal Education," American Bar Association Journal, 8:138-157, February, 1922.

An excellent summary of the 1922 Special Conference on Legal Education including extensive quotations from all speeches. Probably more readily available to the general student than the full report in the Proceedings.

Reports

63. COMMITTEE on Curriculum. "Majority Report," Handbook of the Association of American Law Schools and Proceedings of the Nineteenth Annual Meeting, 1921. Pp. 34-35.

Reports that the Committee has rejected the idea that the Association should go on record in favor of increasing the length of the law course in order to include liberal educational materials in it.

64. COMMITTEE on Curriculum. "Report," Handbook of the Association of American Law Schools and Proceedings of the Twentieth Annual Meeting, 1922. Pp. 35-37.

The Committee reports that it refuses to recommend any "standard courses" which can be treated in purely factual way because all courses must take part in developing mental discipline or fail to develop the capacity for continuous self-education. Favors collegiate studies which develop mental discipline.

65. COMMITTEE on Curriculum. "Report," Handbook of the Association of American Law Schools and Proceedings of the Thirty-Seventh Annual Meeting, 1939. Pp. 177-212.

This item presents the findings of the Committee on the four-year law course. A number of schools and individuals advocated four years as a way of including "liberal materials" in the law course. Includes a bibliography.

**66. COMMITTEE on Prelegal Education. "Report," Proceedings of the Forty-Ninth Annual Meeting of the Association of American Law Schools, 1951. Pp. 150-165.

A document that will prove of great value to the adviser of pre-law students, for it sets out the qualities a lawyer needs in terms of specific skills, and indicates what sort of courses develop the various skills at various levels of formal education. It demonstrates the place of a broad, liberal education.

67. HARNO, Albert J. "A Paper," Handbook of the Association of American Law Schools and Proceedings of the Twentieth Annual Meeting, 1922. Pp. 133-144.

In this article Dean Harno reviews the arguments in favor of liberal education for the lawyer, and says that change in the conception of law has made necessary the weighing of social values. There is need, therefore, for a broader and more diversified training, correlation of non-legal subjects with legal, and basic courses in law such as legal history.

68. LEWIS, William Draper. "The Proper Preparation for the Study of Law," Report of the Twenty-Fourth Annual Meeting of the American Bar Association, 23:475-489, 1900.

A figure of considerable standing in the early years of the American Bar Association. The author examines the contribution of a number of academic subjects to the mental processes inherent in the practice of the law, and finds that all subjects are useful to lawyers but that the social sciences are of greatest direct use.

69. MARSHALL, Carrington T. "Education and the Law," Report of the Forty-Sixth Annual Meeting of the American Bar Association, 48:531-532, 1923.

An excellent outline of value of liberal professional and preprofessional education. The author holds that law calls for both cultural and practical training as part of law school work.

70. PARKER, Isaac. "Inaugural Address," cited by Charles Warren, History of the Harvard Law School and of Early Legal Conditions in America (New York: Lewis Publishing Company, 1908) Vol. I, p. 301.

In his inaugural address as Royall Professor of Law at Harvard in 1816, Professor Parker said that law was growing out of its status as a craft and its practitioners becoming more than "cunning artificers." This he attributed to broadening of education, and recognition that law grows out of understanding of the "social and civil state" of man, natural justice, and moral philosophy.

71. POWELL, Thomas R. "Law as a Cultural Study," Report of the Fortieth Annual Meeting of the American Bar Association, 42:572-584, 1917.

An unusually good statement of the relevance of liberal education for law when it is conceived in its relation to society as a whole.

72. SECTION of Legal Education. "Report and Proceedings of the Section of Legal Education and Admissions to the Bar," Report of the Forty-Fourth Annual Meeting of the American Bar Association, 46:656-688, 1921.

Preliminary discussion of the requirement of two years of college adopted by the American Bar Association in 1922. Contains a brief run-down of the arguments developed in greater detail in the following year.

73. SECTION of Legal Education. "Report and Proceedings of the Section of Legal Education and Admissions to the Bar," Report of the Fifty-Ninth Annual Meeting of the American Bar Association, 61:922-931, 1936.

Discusses the relevance of liberal education to the character and ethical sense needed by lawyers.

74. SHEPARD, Charles E. "The Education of the Lawyer in Relation to Public Service," Report of the Thirty-Eighth Annual Meeting of the American Bar Association, 40:759-766, 1915.

The Chairman of the Section of Legal Education argues that education of lawyers as "broad-minded and high-minded citizens" is necessary for fulfillment of their important roles in public affairs.

75. SMITH, Young B. "Address," Report of the Fifty-Fifth Annual Meeting of the American Bar Association, 57:668-678, 1932.

The Dean of the Columbia Law School demonstrates the value of collegiate education for raising the standards of the legal profession and keeping out marginal people in a time of over-supply.

76. STONE, Harlan Fiske. "Address of the President," Handbook of the Association of American Law Schools and Proceedings of the Seventeenth Annual Meeting, 1919. Pp. 95-108.

A criticism of A.Z. Reed's Training for the Public Profession of the Law

for its failure to take account of the fact that democratic society calls for a Bar of "quality," and that law offices cannot train for this standard.

77. TAFT, William H. "The Social Importance of Proper Standards for Admission to the Bar," Report of the Thirty-Sixth Annual Meeting of the American Bar Association, 38:924-937, 1913.

A former dean of a law school and President of the United States, and later a Chief Justice of the Supreme Court of the United States, argues in favor of the value of a broad prelegal and legal education to enable members of the Bar to adapt to social change, and hence to be wise lawyers and judges.

78. THAYER, Ezra R. "Law Schools and Bar Examinations," Report of the Thirty-Sixth Annual Meeting of the American Bar Association, 38:938-950, 1913.

A Dean of the Harvard Law School asserts the value of a liberal education to the task of reforming law to keep it abreast with developments in society.

Anonymous

**79. "Proceedings of the Section of Legal Education and Addresses," Report of the Seventeenth Annual Meeting of the American Bar Association, 17: 351-493, 1894.

This volume has great value for the large number of speeches it contains on the subject of the appropriate preparation for the law. These, says Dean Harno, faithfully represent the contemporary views on education for the law, and are worth a study all in themselves.

IV. MATERIALS DEALING WITH THE EXPANSION AND LIBERALIZATION OF THE LAW CURRICULUM ITSELF.

Books

80. REDLICH, Joseph. The Common Law and the Case Method in American University Law Schools. Bulletin No. 8. New York: Carnegie Foundation for the Advancement of Teaching, 1914. 84 pp.

This work was the first study resulting from the 1913 proposal to survey legal education, and gave final approval to the Case Method of study. Though the book does not deal directly with the question of liberal education and the law, it does take up the problem of broadening the law course. Many members of the profession later criticized the Case Method as producing an unnecessarily technical cant to the law course.

Periodicals

81. ANGELL, James Rowland. "The University and the School of Law," American Bar Association Journal, 14:179-184, April, 1928.

The President of Yale University here made an excellent statement of many of the most prominent arguments in favor of broadening the law course. He urged that specialists in other subjects than law should teach in law school, and that law teachers should have a strong social science background. Includes history of the development of professional schools and their relations with the university.

82. CANTRALL, Arch M. "Law School and the Layman: Is Legal Education Doing Its Job?", American Bar Association Journal, 38:907-910, November, 1952.

A sharp criticism by a practicing lawyer which charges law schools with an excessively theoretical course of study and a failure to train lawyers for practice on graduation. This article provoked a number of responses which fairly well covered the whole range of arguments concerning liberal education and the law.

83. COOK, Walter M. "Scientific Method and the Law," American Bar Association Journal, 13:303-309, June, 1927.

A professor of Law at Yale discusses scientific methods in the study of legal phenomena. Charges the Case Method as inadequate to a truly scientific study.

84. DOUGLAS, William O. "Law in Eruption: A Concept of Lawyer's Duty in a Time of Change," American Bar Association Journal, 34:674-676, August, 1948.

A Supreme Court Justice of international reputation recommends stress on theory and social science materials in law school because of the crises of our time.

85. FRANK, Jerome. "What Constitutes a Good Legal Education," American Bar Association Journal, 19:723-728, December, 1933.

Then General Counsel for the Agricultural Adjustment Administration and later a judge and Dean of the Yale Law School, this author proposes revolutionary changes in the law curriculum and favors making practice a part of legal education.

86. FRANKFURTER, Felix. "The Law and the Law Schools," American Bar Association Journal, 1:532-540, October, 1915.

A present Justice of the Supreme Court of the United States, then a Professor of Law, favors bringing law into harmony with social development and educating law students accordingly.

87. GARRISON, Lloyd K. "The House of Law in a Time of Change," American Bar Association Journal, 24:203-208, 246-247, March, 1938.

This address of the President of the Association of American Law Schools and Dean of the Law School of the University of Wisconsin proposes a number of improvements in the law course premised on the idea of making law in the public interest.

88. GRISWOLD, Erwin, N. "Report of the National Law Student Conference on Legal Education," Journal of Legal Education, 1:64-97, 221-250, Winter, 1948.

The Dean of the Harvard Law School's comments serve here as an introduction to the conference report. He points out four elements in the law curriculum that should come up in a discussion of legal education: 1) the Case Method; 2) inclusion of extra-legal materials in the law course; 3) the place of practical training in law school; 4) the public responsibility of the lawyer.

89. HALL, Jerome. "Toward a Liberal Legal Education," Iowa Law Review, 30:394-407, March, 1945.

This article finds motive for discussing the liberal law course in the current discussions which aim at understanding liberal education and for a rational ordering of the total educational enterprise.

90. HALL, Julius. "Jerome Frank's Ideas on the Relation of Legal Education to the Judicial Process," Journal of Legal Education, 9:177-185, No. 2, 1956.

Presents a thoroughly "liberal" conception of legal education, considering both the place of theory and practice.

91. HANCHER, Vergil M. "Oxford and American Legal Education: A Contrast," American Bar Association Journal, 16:523-529, August, 1930.

This article by a member of the Chicago Bar points to the rising criticisms and changes in the law course as its justification, and attacks the Case Method. Instead of turning to an analysis of the place of the social sciences in the law course, as many contemporary articles did, it goes on to advocate theoretical study of law, such as in legal history, as practised at Oxford.

92. HARNO, Albert J. "Social Planning and Perspective Through Law," American Bar Association Journal, 19:201-206, 250, April, 1933.

Discusses broadening of the concept of law, and advocates the inclusion of social science materials into the law course. Suggests that accomplishing this purpose may mean "dipping down into the pre-legal period" or adding another year to the present course.

93. KATZ, Wilber C. "What Changes Are Practical In Legal Education?", American Bar Association Journal, 27:759-762, December, 1941.

The author, then Dean of the University of Chicago Law School, made this address to the American Bar Association. He called for a study in law school of the nature and function of law, of the relationships between law and economics, and an elimination of detailed practical work.

94. LLEWELLYN, Karl N. "Current Crisis in Legal Education," Journal of Legal Education, 1:211-220, Winter, 1948.

Professor Llewellyn, of the Columbia Law School, discusses the weakening of the position of the Case Method due to accidental features which have crept into it. He calls for reform of the law curriculum to deal with the constantly growing information in law, and to develop a sense of public responsibility.

95. MARTIN, Paul L. "Practical Legal Education," American Law School Review, 3:237-240, Winter, 1913.

Discusses the proper balance between theory and practice.

96. MCCLAIN, Joseph A. Jr. "Is Legal Education Doing Its Job? A Reply," American Bar Association Journal, 39:120-136, February, 1953.

Dean McClain, of the Duke University Law School, replies to the article by Arch Cantrall, and points out that the law school cannot possibly reproduce the conditions of the law office and so cannot teach practice as such. He advocates the useof a legal aid clinic for the teaching of practice to aspiring lawyers.

97. POUND, Roscoe. "The Need of a Sociological Jurisprudence," The Green Bag, 19:607-615, 1907.

One of several articles on this subject which have been considered of major importance. Said Dean Pound, "We must train the rising generation of lawyers in a social, political, and legal philosophy abreast of our time."

98. POUND, Roscoe. "What Is a Good Legal Education?", American Bar Association Journal, 19:627-631, November, 1933.

The author argues that a good legal education: 1) must teach national rather than local law due to the unified character of our society; 2) professional education begins before formal education, and continues after it; 3) one can use two criteria to determine the content of the law course, i.e., what lawyers do, and what the nature of the law is.

99. REDLICH, Joseph. "Book Review of: The Case Method of Study," American Bar Association Journal, 17:113, February, 1931.

This review gives the views of Professor Redlich on the Case Method in capsulated form.

100. STASON, E. Blythe. "Legal Education: Postgraduate Internship," American Bar Association Journal, 39:463-466, June, 1953.

The Dean of the University of Michigan continues the discussion of the place of practice in the law course brought about by Arch Cantrall's article. The author summarizes the criticisms of law school, and lays out the objectives of legal education in terms of the competencies lawyers need.

101. STEVENS, George Neff. "Legal Education for Practice: What the Law Schools can Do and Are Doing," American Bar Association Journal, 40:211-214, March, 1954.

Included in this bibliography for its excellent list of 50 to 60 items on the controversy over the place of practice in the law curriculum. Treats other questions concerning the law course.

102. STONE, Harlan Fiske. "The Future of Legal Education," American Bar Association Journal, 10:233-235, April, 1924.

Deals with the problem of the growing corpus of law and its effect on bringing about an excessively technical curriculum. Favors reorganization of the curriculum with the object of "understanding the relation of law to those social functions it endeavors to control."

103. VANDERBILT, Arthur T. "The Future of Legal Education: We Must Face the Realities of Modern Life," American Bar Association Journal, 43:207-210, 280-282, March, 1957.

Justice Vanderbilt first discusses here the functions of a great lawyer, and outlines the kinds of competencies which will produce men capable of carrying out the functions. He proposes a series of studies of a broad and liberal nature to develop these competencies.

104. WIGMORE, John H. "Editorial," Illinois Law Review, December, 1916; Reprinted in: American Bar Association Journal, 3:15-20, 1917.

An editorial by the then Dean of the University of Illinois Law School. It argues in favor of increasing the length of the law course in order to include in it the "broadening fields of legal science," such as jurisprudence, legislation, etc.. It is noteworthy that the Committee in the Association of American Law Schools that dealt with the four-year course rejected it, and that legal education has moved toward integration of its curriculum rather than increasing its length.

105. WRIGHT, Cecil A. "The University Law Schools," Journal of Legal Education, 2:409-427, Summer, 1950.

A paper by the Dean of the School of Law, University of Toronto, that formed part of a symposium on legal education. It takes up the question of whether the law school should be vocational or educational.

Reports

106. ASSOCIATION of American Law Schools. "The Four-Year Course in Law," Handbook of the Association of American Law Schools and Proceedings of the Seventeenth Annual Meeting, 1919. Pp. 109-134.

Following along the same line as the Wigmore editorial above, this discussion of the four-year law course leaves no doubt as to the fact that the intent of its proponents was to "liberalize" law school study.

107. BALDWIN, Simeon E. "The Study of Elementary Law. A Necessary Stage in Legal Education," Report of the Twent-Sixth Annual Meeting of the American Bar Association, 25:673-690, 1903.

Perhaps one of the greatest "unsung" figures in the legal profession, this man was the force behind the founding of the American Bar Association, a practicing lawyer, justice, governor of Connecticut, and educator. Here he argues that the task of the law school is to impart legal principles and rules of a given society, in lieu of teaching all the laws, and criticizes the Case Method as omitting that aspect of legal science that does not rely on inductive thinking. A forward looking view for its time.

108. BRUCE, Andrew A. "Relation of the Bar Examiner to the Law School," Report of the Thirty-First Annual Meeting of the American Bar Association, 33:828-845, 1908.

Asserts that the real function of the law school is training lawyer citizens for American democracy, or educating for "intelligent citizenship."

109. COMMITTEE on Curriculum. "Report," Handbook of the Association of American Law Schools, 1944. Pp. 159-201.

Dean Harno identifies this Report as constituting a basic discussion of the objectives of legal education, and of the competences the practice of the law calls for. It deals with the need and method for broadening the study of the law beyond the old Case Method, and concludes by demonstrating how the recommended plan of studies promotes both "professional" and "university" level work in law.

110. COMMITTEE on Curriculum, "Report," Handbook of the Association of American Law Schools,1947. Pp. 130-142.

Contains a lengthy review of the discussions of the objectives and means of legal education, including a bibliography of the articles in the Handbook on the subject.

111. COMMITTEE on Curriculum. "Report," Proceedings of the Association of American Law Schools, 1952. Pp. 82-92.

Discusses the inclusion of "non-legal" materials in the law course, and classifies and describes various plans for integrating the law school curriculum. Favors study of courses which create perspective on the profession and its function.

112. FERGUSON, Merton L. "Teaching Theory and Practice in a New Day," Handbook of the Association of American Law Schools, 1946. Pp. 92-97.

An analysis of the issue of teaching practice through theory by a President of the Association of American Law Schools.

113. GILMORE, Eugene A. "Some Criticisms of Legal Education," Handbook of the Association of American Law Schools and Proceedings of the Summer Meeting and the Eighteenth Annual Meeting, 1920. Pp. 140-156.

A Presidential address to the Association which makes a detailed criticism of legal education at the time. It outlines specific changes in the law course to meet them, which may be summed up in the idea of broadening the professional curriculum.

114. HUTCHINS, Harry B. "The Law School as a Factor in University Education," Report of the Twenty-Fourth Annual Meeting of the American Bar Association, 23:490-501, 1900.

Describes the narrowness of students with law office training, and states that an important development which broadened law study as well as other subjects grew out of their association with the university.

115. HUTCHINS, Robert M. "The Autobiography of an Ex-Law Student," Handbook of the Association of American Law Schools and Proceedings of the Thirty-First Annual Meeting, 1933. Pp. 86-92.

Chancellor Hutchins here urges that law can become a learned profession by study of its general principles in law school. Such study will prepare the lawyer in the basic ideas needed to cope with many kinds of situations. A clear statement of the argument that there is too great a complexity to law to study it all.

116. RICHARDS, Harry Sanger. "Shall Law Schools Give Credit for Office Study?", Report of the Twenty-Fifth Annual Meeting of the American Bar Association, 24:514-523, 1901.

An explanation of the failure of law office study to produce liberal education and for giving broad training in principles of law.

117. TATE, Jack B. "Training for Government Service," Handbook of the Association of American Law Schools and Proceedings of the Thirty-Ninth Annual Meeting, 1941. Pp. 58-63.

The author, at the time General Counsel for the Federal Security Agency, shows that law is government, and that a government of law is bound to be a government of men, therefore the proper study of law is the study of man.

118. WETMORE, Edmund. "Some of the Limitations and Requirements of Legal Education in the United States," Report of the Seventeenth Annual Meeting of the American Bar Association, 17:461-472, 1894.

Argues that law students should not attempt to obtain their practical experience at the same time as attending law school, and favors a college education in the classics before professional study.

Anonymous

119. "Symposium: Modern Movements in Legal Education," Handbook of the Association of American Law Schools and Proceedings of the Twenty-Sixth Annual Meeting, 1928. Pp. 30-56.

A symposium led by R.M. Hutchins, Richard R. Powell, and Walter W. Cook which shows, in sum, what law schools have done to broaden their teaching.

V. ITEMS OF SOME RARITY WHICH DISSENT FROM THE ENDEAVORS TO REQUIRE LIBERAL PRELEGAL EDUCATION AND THE EFFORT TO BROADEN THE TEACHING OF LAW.

Books

None

Periodicals

120. HERVEY, John G. "Preparation for the Legal Profession," Rocky Mountain Law Review, 23:4, 1950.

An adviser to the Section of Legal Education and Admissions to the Bar of the American Bar Association calls for prescription of specific courses as requirements for entry into the law school, which have a somewhat narrow and technical cast to them.

121. SHAFROTH, Will. "The Forty-Five Commandments of a Lawyer," American Bar Association Journal, 18:412-414, June, 1932.

Contrary to many contemporary ideas concerning broad and liberal study of the ethics of the profession through legal history, history of the profession, etc., this address favors study of specific canons and the reasons for them.

Reports

122. ARCHER, Gleason L. "Facts and Implications of College Monopoly of Legal Education," Report of the Fifty-Second Annual Meeting of the American Bar Association, 54:719-738, 1929.

A very sharp attack by the then Dean of the Suffolk Law School on the whole idea of the prelegal college requirement, and, by implication, on liberal education in preparation for professional study.

123. POUND, Cuthbert W. untitled article, Handbook of the Association of American Law Schools and Proceedings of the Twentieth Annual Meeting, 1922. Pp. 100-109.

The author expresses the idea that cultural education has little value for the lawyer. The work of the law consists primarily in dealing with facts, and character counts more for success in it than culture.